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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/056,691

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Randall B. Smith

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12/03/2003

PARK, VAUGHAN & FLEMING LLP
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EXAMINER

RAHMJOO, MANUCHER

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 12/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,691

Applicant(s)

SMITH, RANDALL B.

Examiner

Mike Rahmjoo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1- 4, 6- 8, 9- 15, 16- 17, 19- 24, 26- 27, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaizuka et al (US Patent 6,396,507), hereinafter, Kaizuka.

As per claim 1, 11, and 21 Kaizuka teaches a computational device see for example figure 1 block 7; a display within the computational device see for example figure 2 block 17; a magnifier within the display see for example figure 2 block 19; receiving a movement command (request signal) from a user to move a location of the magnifier within the field of view see for example column 9 lines 57- 59; and in response to the movement command, reducing the magnification factor of the magnifier, so that a larger portion of the field of view becomes visible within the magnifier to facilitate navigating the magnifier to a desired location see for example column 9 lines 60- 65.

As per claims 2, 12, and 22 Kaizuka teaches receiving a cessation of movement command (request signal) from the user indicating that movement of the magnifier has ceased; and in response to the cessation of movement command, restoring the magnification factor of the magnifier to an

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original magnification factor (returning the enlarged image to the original image) see for example column 11 lines 5- 10.

As per claims 3, 13, and 23 Kaizuka teaches the movement command is a mouse drag event and the cessation of movement command is a mouse button up event see for example column 11 lines 11- 20 and column 14 lines 7- 14.

As per claims 4, 14, and 24 Kaizuka teaches when the magnification factor is reduced, the method further comprises visually indicating a boundary of a magnified region within the magnifier, wherein the magnified region becomes visible in magnified form (figure 3a block 32 as the zooming target) when the magnification factor is restored to an original magnification factor see for example column 15 lines 5- 14.

As per claims 6, 16, and 26 Kaizuka teaches reducing the magnification factor involves reducing the magnification factor to one so that the magnifier no longer obscures portions of the field of view located under the magnifier (figure 3a block 32 as the zooming target) see for example figures 3a- e and column 15 lines 5- 14.

As per claims 7, 17, and 27 Kaizuka teaches the movement command is a command that selects the magnifier in preparation for moving the magnifier (dragging the mouse) see for example column 11 line 14- 20 and column 17 lines 10- 20.

As per claims 9, 19, and 29 Kaizuka teaches the magnifier is a window that the user can move about the field of view see for example figures 3 a- e.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaizuka et al in view of Hanson et al (US 2003/ 0098845), hereinafter, Hanson.

As per claims 5, 15, and 25 Kaizuka teaches visually indicating the boundary of the magnified region.

However, Kaizuka does not teach visually indicating the boundary of the magnified region involves modifying the appearance of regions within the magnifier that are located outside of the magnified region, wherein the modification involves grey shading, modifying color or modifying translucence.

Hanson teaches visually indicating the boundary of the magnified region involves modifying the appearance of regions within the magnifier that are located outside of the magnified region, wherein the modification involves modifying color see for example pages 2- 3 paragraph [0021].

It would have been made obvious to one of ordinary skilled in the art at the time the invention was made to incorporate the teachings Hanson into Kaizuka to make a moveable output device configured for movement across a primary display surface so as to receive an enhanced output compared to the primary display output see for example page 1 paragraph [0007].

Claims 8, 18, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaizuka et al in view of Jogo (US 2001/0048447).

As per claims 8, 18, and 28 Kaizuka does not teach reducing the magnification factor involves reducing the magnification factor by a factor that is proportionate to a drag speed of the magnifier, whereby the faster the magnifier is moved, the more the magnification level is reduced.

However, Jogo teaches reducing the magnification factor involves reducing the magnification

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factor by a factor that is proportionate to a drag speed of the magnifier, whereby the faster the magnifier is moved, the more the magnification level is reduced see for example column 6 paragraph [0074].

It would have been made obvious to one of ordinary skilled in the art at the time the invention was made to incorporate the teachings Jogo into Kaizuka to provide an image cropping and synthesizing method and an apparatus to facilitate cropping and synthesizing an image and therefore improve the versatility of the device see for example page 1 paragraph [0007].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; 5,959,605, 6,285,757, 5,790,114, 6,642,936, 6,184,859, 5,638,523, and US2002/0000989.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305- 5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872- 9314 for regular communications and (703) 872- 9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305- 4750.

Mike Rahmjoo

November 24, 2003



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600